

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JOSE LUCIO MENDOZA SERVIN,

Civil Action No. 23-3967 (MCA)

Petitioner,

v.

WARDEN, FCI FT. DIX,

MEMORANDUM AND ORDER

Respondent.

This matter comes before the Court on Petitioner Jose Lucio Mendoza Servin’s (“Petitioner”) submission of a Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, seeking 365 days of earned time credits under the First Step Act. (ECF No. 1.)

The government submitted a letter answer advising the Court that the BOP has applied 365 days of earned time credits toward Petitioner’s early transfer to supervised release.¹ See 18 U.S.C. § 3624(g)(3); ECF No. 5-1, Declaration of Cyntrena Cross-Peart (“Cross-Peart Decl.”) ¶ 7, ECF No. 5-2, Ex. 2 (Public Information Inmate Data) at 3; ECF No. 5-2, Ex. 3 (FSA Time Credit Assessment) at 1. As a result, Petitioner’s projected release date has changed from June 24, 2026 to June 23, 2025. See Cross-Peart Decl. ¶ 8, Ex. 2 (Public Information Inmate Data) at 3. The Federal Bureau of Prisons Inmate Locator also lists Petitioner’s release date as June 23, 2025.²

The government also requests that the Court dismiss the Petition as moot. See *Anderson v. Knight*, No. 22-7050 (CPO), 2023 WL 5346571, at *2 (D.N.J. Aug. 21, 2023) (dismissing

¹ The government also notes that Petitioner failed to exhaust administrative remedies before filing this action.

² See Federal Bureau of Prisons Inmate Locator, available at <https://www.bop.gov/inmateloc/>, last visited February 6, 2025.

petition as moot where petitioner received 365 days, the maximum amount of time credits available under the First Step Act); *Barrera v. Warden, FCI Fort Dix*, No. 23-2260 (RMB), 2023 WL 4896658, at *1 (D.N.J. July 31, 2023) (dismissing petition as moot where petitioner received 365 days of time credits under the First Step Act). Petitioner has not filed a reply brief. At this time, the Court grants the government's request and dismisses the Petition as moot in light of the fact that Petitioner has received the 365 days of earned time credits he sought through this action. The Court directs the Clerk of the Court to send a copy of this Memorandum and Order to Petitioner at the address on file and close this matter accordingly.

IT IS, THEREFORE, on this 7th day of February 2025,

ORDERED that the government's letter request to dismiss the Petition as **MOOT** (ECF No. 5) is **GRANTED** in light of the fact that Petitioner has received the 365 days of earned time credits he sought through this action; and it is further

ORDERED that the Clerk of the Court shall send a copy of this Memorandum and Order to Petitioner at the address on file and mark this case as **CLOSED**.



Hon. Madeline Cox Arleo
United States District Court